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| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/800,290 | 03/12/2004 | Zoltan G. Toth | 2664/63006 |

26646
KENYON & KENYON
ONE BROADWAY
NEW YORK, NY 10004

CONFIRMATION NO. 8258

FORMALITIES LETTER



OC000000012821205

Date Mailed: 06/01/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$130** for a Large Entity

- **\$130** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts
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08/05/2004 SZEWDIE1 00000110 110600 10800290

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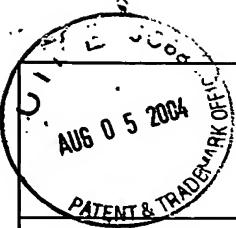
*A copy of this notice **MUST** be returned with the reply.*

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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

**RESPONSE TO NOTICE TO FILE
MISSING PARTS OF
NON-PROVISIONAL APPLICATION --
FILING DATE GRANTED**

Docket Number:
2664/63006

| | | | |
|---|--------------------------------------|--|-------------------------|
| Application Number 10/800,290 | Filing Date March 12, 2004 | Examiner To be assigned | Art Unit 1614 |
| Invention Title PROCESSES FOR PREPARATION OF POLYMORPHIC FORMS OF DESLORATADINE | | Inventor(s) Zoltan G. TOTH, et al. | |

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, Alexandria, VA 22313-1450 on

Date: Aug 2, 04

Signature: Ryan Mandel (52,048)

Sir:

To complete the filing requirements for the above-referenced application under 37 C.F.R. § 1.51, enclosed please find a Declaration and an Appointment of Power of Attorney by Assignee of Entire Interest.

A copy of the Notice to File Missing Parts of Nonprovisional Application dated June 1, 2004 is also enclosed.

1. The Commissioner is hereby authorized to charge payment of the 37 C.F.R. § 1.16(e) surcharge fee of \$130.00 to the deposit account of **Kenyon & Kenyon**, deposit account number **11-0600**.

2. The Commissioner is also authorized to charge any additional fees or credit any overpayment to the deposit account of Kenyon & Kenyon, Deposit account **No. 11-0600**.

3. A duplicate copy of this sheet is enclosed.

Dated: August 2, 2004

By:

Payam Moradian
Payam Moradian (Reg. No. 52,048)

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